

REMARKS

The Examiner is thanked for his careful and thorough Office Action.

Claims 1-20 are pending in the present application. Claims 7-9 and 16-18 are allowed; claims 5, 6, 14, 15, and 20 were objected to; and claims 1-4, 10-13, and 19 were rejected.

Reconsideration of the claims is respectfully requested.

Objection to the Disclosure

The Examiner's objection is noted, and the amendments to the specifications are believed to obviate this objection.

Claim Rejections -- 35 U.S.C. § 103

Claims 1-4, 10-13, and 19 were rejected as obvious over *Hoole* (USP 5,799,000, hereinafter "Hoole") in view of *Alamouti et al.* (USP 6,560,209, hereinafter "Alamouti"). This rejection is respectfully traversed.

STATEMENT IN ACCORDANCE WITH MPEP § 706.02(I)(2):

Application 09/593,547 (the present application), Patent 5,799,000 to Hoole, and Patent 6,650,209 to Alamouti were, at the time the invention of Application 09/593,547, owned by AT&T Wireless Services, Inc.

As the present application was filed after November 29, 1999, and Alamouti only qualifies as prior art under one or more of subsections (e), (f), and (g) of 35 USC § 102, Alamouti is disqualified as prior art under 35 USC § 102. As such, all obviousness rejections have been traversed.

For the Examiner's convenience, copies of the assignments filed in Hoole (at Reel/Frame 8703/0993), Alamouti (at Reel/Frame 8718/0050), and the present application (at Reel/Frame 011150/0219) are attached.

Claim Objections

As the rejections to the underlying independent claims are now believed to be overcome, the previously objected-to claims are believed to be allowable. These objections are traversed.

All rejections have been traversed, and reconsideration and allowance is requested.

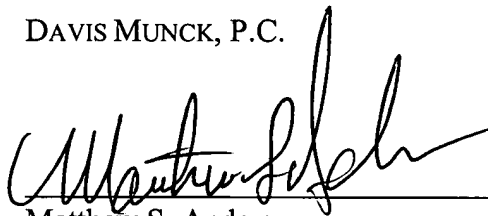
SUMMARY

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *manderson@davismunck.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

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